



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/783,450	02/20/2004	John R. Williams	19857.04	7793
------------	------------	------------------	----------	------

47900	7590	01/23/2006
-------	------	------------

MATTHEW E. BURR  
LAKE AUSTIN MARINA  
2219 WESTLAKE DR  
STE 200  
AUSTIN, TX 78746

EXAMINER

BOMAR, THOMAS S

ART UNIT

PAPER NUMBER

3672

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/783,450

Applicant(s)

WILLIAMS, JOHN R.

Examiner

Shane Bomar

Art Unit

3672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the drilling head equipment must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.
2. The drawings are further objected to because Figure 4 includes two views and should therefore have two separate figure numbers. Further, sectional lines B-B should be changed to Roman or Arabic numerals as per 37 CFR 1.84(h)(3). The drawings are also objected to under 37 CFR 1.84(h)(3) because they fail to show the proper hatching for the resilient substrate as described in the specification to be an elastomeric material (the current hatching appears to be the cross section for metal). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

Art Unit: 3672

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

4. Claims 11 and 20 are objected to because of the following informalities: the first letter in claim 11 should be capitalized; in claim 20, the recitation of "the one or more rods" lacks proper antecedent basis since rods were never before mentioned in the claim. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 5, 7-14, 16-18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 5,062,479 to Bailey et al.

Regarding claims 1, 11-13, and 20 (as best understood to refer to support members rather than rods), Bailey et al disclose a stripper rubber 12 having a generally cylindrical upper portion and a dynamic generally frusto-conical lower portion and having an inner diameter, wherein the upper and lower portions define a bore 32 for receiving oilfield equipment, the stripper rubber

comprising: a ring-shaped drive bushing 20 at least partially within the stripper and disposed toward the upper portion; and a structural retention assembly comprising: one or more support members, or cords, 34 dynamically suspended from the stripper upper portion; and one or more structural retention inserts, or ring, 38 at least partially within the stripper and distally attached to the support members 34 (see Figs. 2 and 4), wherein the stripper rubber dynamically forms a fluid tight seal around varying diameters of oilfield equipment that is raised or lowered through the bore (see col. 3, lines 8-18). In describing the function and operation of the stripper rubber, Bailey et al also inherently disclose a method of providing and using the stripper rubber described above to provide a dynamic, fluid-tight seal around varying diameters of oilfield equipment (see col. 2, lines 3-20 for further support).

Regarding claim 2, the retention inserts 38 cooperate with support members 36 to at least partially maintain the profile of the stripper against elastic deformation (see col. 3, lines 40-68).

Regarding claim 3, the adapter insert 20 is adapted to connect to drilling head equipment through elements 26 (see Fig. 1).

Regarding claim 5, a resilient substrate 18 (i.e., rubber) contains, at least partially, the adapter insert 20 and the structural retention assembly (see Fig. 2).

Regarding claims 7, 8, 10, and 16, the support members 34 are pivotally suspended from the adapter insert in a hinge-like fashion since the support members will be able to “swing”, or pivot radially, on the ring-shaped insert 40 that abuts, and is therefore attached to, the drive bushing 20 due to the rubber molding process, wherein the support members 34 are optionally detachable from the insert and/or the structural retention insert 38 by simply unwinding the member 34 from the insert 40 (see Fig. 4).

Regarding claim 9, spacer members 42 act as hinge brackets in conjunction with ring 40 acting as a hinge pin for the hinging of the support members 34 (see Fig. 4).

Regarding claim 14, it is disclosed in Figure 7 that the drive bushing 20 can have grooves or indentations between ribs 24, which can inherently be considered partial perforations, to provide enhanced securement of the stripper rubber body 18 (see col. 3, lines 31-35).

Regarding claims 17 and 18, the assembly inherently comprises metal inserts, or composite material inserts, as are notoriously known in the art for such applications.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6, 15, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey et al alone.

Regarding claims 6 and 15, Bailey et al teach the adapter insert and structural retention insert of claims 1 and 12 from above. However, it is not explicitly taught that the structural retention inserts comprise at least partial perforations to receive a resilient substrate to provide a strong mechanical bond between the substrate and the insert.

Yet, it is taught in Figure 7 that the drive bushing 20 can have grooves or indentations between ribs 24, which can inherently be considered partial perforations, to provide enhanced securement of the stripper rubber body 18 (see col. 3, lines 31-35). Therefore, at the time the

Art Unit: 3672

invention was made, it would have been obvious to one of ordinary skill in the art that the structural retention insert be similarly configured to provide added securement of the rubber to other parts of the assembly, thus providing motivation to make such a structural change to further parts of the assembly that are embedded in the rubber.

Regarding claim 19, the resilient substrate 18 is inherently rubber since it is called a stripper rubber body.

9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey et al in view of US patent 5,901,964 to Williams et al.

Bailey et al teach the stripper rubber of claim 3 from above that includes an adapter insert that is adapted to connect the stripper to drilling head equipment through element 26. However, it is not taught that the adapter has one or more cam pins extending longitudinally from the top of the adapter.

Williams et al teach a stripper rubber with an adapter insert 21 similar to that of Bailey et al (see Fig. 2). It is further taught that bolts 22 extend longitudinally from the top of the adapter for securing to other components above the stripper. It would have been obvious to one of ordinary skill in the art, having the teachings of Bailey et al and Williams et al before him at the time the invention was made, to modify the adapter insert taught by Bailey et al to include the bolts longitudinally extending from the top of the adapter of Williams et al, in order to obtain a means for connecting to equipment above the stripper rubber. One would have been motivated to make such a combination since Bailey et al's current embodiment precludes the secure attachment of components to the top of the stripper rubber assembly, whereas the combination

Art Unit: 3672

will allow such attachment to equipment that is notoriously known in the art to be attached from the top, such as top drives and other rotary drive and/or drilling components.

***Conclusion***

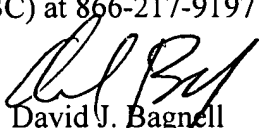
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Caraway, Hosie et al, Kalsi et al, Wilde, and Williams teach various other stripper rubbers of particular interest. Biffle teaches two different stripper rubbers with hinged inserts.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shane Bomar whose telephone number is 571-272-7026. The examiner can normally be reached on Monday - Thursday from 6:30am to 4:00pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tsb  
January 18, 2006

  
David J. Bagnell  
Supervisory Patent Examiner  
Art Unit 3672